

1 BILL NO. G-84-11-09

2 GENERAL ORDINANCE NO. G-3484

3 AN ORDINANCE AUTHORIZING EXECUTION AND DELIVERY
4 OF A FIRST AMENDMENT TO MORTGAGE AND INDENTURE OF TRUST
5 AND OTHER ACTIONS RELATED THERETO

6 WHEREAS, the City of Fort Wayne, Indiana, executed and
7 delivered a Mortgage and Indenture of Trust, dated as of March 1,
8 1980, among the City of Fort Wayne, Indiana, J. B. Tool, Die &
9 Engineering Company, Inc. (the "Company") and Summit Bank, as
10 Trustee ("Trustee") (the "Indenture") ; and

11 WHEREAS, pursuant to the Indenture, the City of Fort
12 Wayne has issued its City of Fort Wayne Economic Development
13 First Mortgage Revenue Bonds, Series 1980 (J. B. Tool, Die &
14 Engineering Company, Inc. Project) (the "Bonds"); and

15 WHEREAS, it is now necessary for certain amendments to
16 be made to the Indenture pursuant to a First Amendment to Mortgage
17 and Indenture of Trust and Waiver, dated as of November 1, 1984,
18 between the City of Fort Wayne, the Company, and the Trustee.

19 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
20 THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

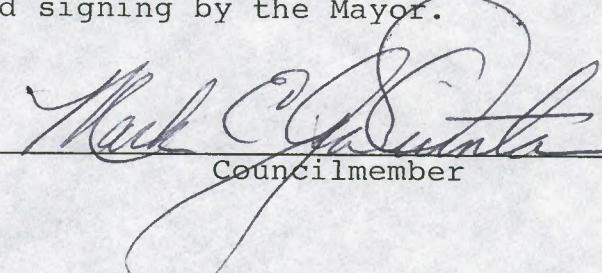
21 1. The City of Fort Wayne is hereby authorized to exe-
22 cute and deliver the First Amendment to Mortgage and Indenture of
23 Trust and Waiver, dated as of November 1, 1984, copies of which
24 are on deposit with the Clerk of the City of Fort Wayne.

25 2. The Mayor and the Clerk are authorized to execute
26 and deliver on behalf of the City of Fort Wayne the First Amendment
27 to Mortgage and indenture of Trust and Waiver with such changes
28 in form or substance as are approved by the Mayor upon advice from
the City Attorney.

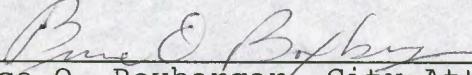
29 3. The Mayor and Clerk are authorized to take such
30 action as is necessary consistent with this Ordinance to con-
31 summate the amendments contemplated by the First Amendment to
32 Mortgage and Indenture of Trust and Waiver, including an endorse-
33 ment of the legend on the Bonds.

1 Page Two

2 4. This Ordinance shall be in full force and effect
3 from and after its passage and signing by the Mayor.

4 
5 Councilmember
6

7 APPROVED AS TO FORM
8 AND LEGALITY

9 
10 Bruce O. Boxberger, City Attorney

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Re^d the first time in full and on motion by Redd, seconded by Redd, and duly adopted, read the second time by title and referred to the Committee Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on 11-13-84, the 19 day of November, at 11:00 o'clock A.M., E.S.

DATE: 11-13-84

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by GiaQuinta, seconded by Redd, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>BRADBURY</u>	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>BURNS</u>	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>EISBART</u>	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>GiaQUINTA</u>	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>HENRY</u>	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>REDD</u>	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>SCHMIDT</u>	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>STIER</u>	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>TALARICO</u>	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>

DATE: 11-27-84

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. G-34-84 on the 27th day of November, 19 84.

ATTEST:

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

(SEAL)

Ray A. Ebert
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of November, 19 84, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 29th day of November, 19 84, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

BILL NO. G-84-11-09

*Hold
until: 11/27/84*

REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS REFERRED AN
ORDINANCE AUTHORIZING EXECUTION AND DELIVERY OF A FIRST AMENDMENT
TO MORTGAGE AND INDENTURE OF TRUST AND OTHER ACTIONS RELATED THERETO

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

MARK E. GIAOINTA, CHAIRMAN

JAMES S. STIER, VICE CHAIRMAN

JANET G. BRADBURY

THOMAS C. HENRY

DONALD J. SCHMIDT

Mark Giaointa
James S. Stier
Janet G. Bradbury
Thomas C. Henry
Donald J. Schmidt

11-27-84
CONCURRED IN *11-27-84*
SANDRA E. KENNEDY, CITY CLERK